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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/681,844	10/07/2003	Patricia Helen Reynolds	1001-001	7112
32566	7590	03/07/2006		
PATENT LAW GROUP LLP 2635 NORTH FIRST STREET SUITE 223 SAN JOSE, CA 95134			EXAMINER MENDIRATTA, VISHU K	
			ART UNIT	PAPER NUMBER
			3711	

DATE MAILED: 03/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/681,844	<b>Applicant(s)</b> REYNOLDS, PATRICIA HELEN	
	<b>Examiner</b> Vishu K. Mendiratta	<b>Art Unit</b> 3711	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 9-18,20,22,24,25 and 27-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 9-18,20,22,24,25 and 27-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

1. Claims 9-18,20, 22 25,28-30 rejected under 35 U.S.C. 103(a) as being unpatentable over Hunsberger (6279908).

Hunsberger teaches a method of playing a board game designating a playing team (3:42-45) thereby determining order of play, providing a game path with plurality of distinguishable spaces (20,21,22), providing cards with question answers corresponding to said spaces (3:26-36), providing an answer by the playing team correctly and moving on game path according to the roll of dice (3:59-61), and incorrectly answering, losing its turn and performing a predetermined physical act corresponding to the space landed (3:67-4:33).

The only difference between applicant's categories (different religions) and the cited reference (medication, nutrition) resides in meaning and information conveyed by the printed matter that is not considered patentable Ex. Parte Breslow 192 USPQ 431. The method of playing will not change because a different question from a different category/religion is asked. In order to attract game players from different faith, it would have been obvious to print related questions and act indicia corresponding to different faith. One of ordinary skill in art at the time the invention was made would have suggested modifying game indicia to represent actions and questions from a plurality of different religions to attract players from different faith.

Applicant may note that rules for playing do not further limit the game apparatus in the claim 18.

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2. Claims 24,27,31 rejected under 35 U.S.C. 103(a) as being unpatentable over Hunsberger (6279908) in view of Montijo (4640513).

Hunsberger teaches all limitations except that it does not teach multiple choice questions.

Montijo teaches a trivia game providing multiple-choice questions (Fig.4 cards are multiple choice/true-false).

Whereas some players like to play simple trivia games others such as younger players/adults like to play a less/more challenging game. In order to make the game less/more challenging it would have been obvious to provide trivia in various well known formats including multiple choice questions.

One of ordinary skill in art at the time the invention was made would have suggested providing multiple-choice questions to make the game challenging.

3. Claims 32-35 rejected under 35 U.S.C. 103(a) as being unpatentable over Hunsberger (6279908) in view of Stevens (5607160).

Hunsberger teaches all limitations except that it does not teach a challenge by opponent , challenger providing answer and playing team retreating upon losing a challenges.

Stevens teaches a trivia game wherein an opponent provides an answer and playing team retreats upon being challenged (4:51-56).

Whereas some players like to play simple trivia games others/adults like to play a more challenging game.

In order to make the game more challenging it would have been obvious to provide commonly known method steps including challenging and retreating playing team.

One of ordinary skill in art at the time the invention was made would have suggested providing method steps to make the game more challenging.

***Response to Arguments***

4. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

5. In previous action the examiner had indicated allowable subject matter on the basis of claim 9 as best understood from the sequence of steps in the claim. Examiner had also indicated under 112 rejection the inability to fully understand the claim sequences. Applicant's amendment of claim 9 has clarified the claim and the method sequence has been better understood. Method steps are different as read from amended claim 9. A further search of those method steps resulted in new reference, hence a final rejection.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vishu K. Mendiratta whose telephone number is (571) 272-4426. The examiner can normally be reached on Mon-Fri 8AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eugene Kim can be reached on (571) 272-4463. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Vishu K Mendiratta  
Primary Examiner  
Art Unit 3711

VKM  
February 27, 2006